

Defendants.

ORDER & OPINION
[Resolving Doc. No.90]

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Case No. 4:05-CV-2848
Gwin, J.

judgment in favor of the Plaintiff (the “proposed consent”). [Doc. 103.] The terms of the Defendants’ proposed consent, which the Court accepts, are as follows:

The Defendants consent to summary judgment in favor of Chrysler Financial on all issues as to liability. *Id.* Additionally, the Defendants agree to be jointly and severally liable to the extent and in the amount of damages proven. *Id.* Further, the Defendants consent to summary judgment in favor of Chrysler Financial on the claims in the Plaintiff’s Complaint for non-monetary damages. *Id.* Specifically, Defendants consent to the Plaintiff’s claims in Counts IV and V for replevin and injunctive relief. *Id.* Accordingly, Defendants assert that the interim relief granted by the Court was proper and any bond may be released. *Id.*

Additionally, the Defendants consent to summary judgment in favor of Chrysler Financial regarding the Defendants’ counterclaims. *Id.* With respect to Chrysler Financial’s monetary claims, the Defendants propose that the parties proceed with an additional summary proceeding and/or trial to resolve the issue of damages. *Id.* Additionally, the Defendants propose that the Court’s previous Order concerning discovery cutoff, status conferences, pretrial and trial dates shall continue. *Id.*

For the reasons discussed above, the Court **GRANTS** the Plaintiff’s motion for partial summary judgment on the issue of liability.

IT IS SO ORDERED.

Dated: August 30, 2006

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE